

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO DUANE MIXON and  
KETURAH TAWANA MIXON,

Defendants.

INDICTMENT

The Grand Jury charges:

COUNT 1  
(Wire Fraud)

Between in or about April and June 2020, in Calhoun County, in the Southern  
Division of the Western District of Michigan and elsewhere,

**ANTONIO DUANE MIXON,**

having devised a scheme and artifice to defraud, and for obtaining money by means of  
false and fraudulent pretenses, representations and promises, caused signs, sounds and  
signals to be transmitted by wire in interstate commerce for the purpose of executing  
the scheme.

**THE SCHEME TO DEFRAUD**

The CARES Act authorizes the United States Small Business Administration  
("SBA") to provide Economic Injury Disaster Loans ("EIDL") to small businesses  
adversely affected by the COVID-19 health crisis. In addition, the CARES Act

authorizes the SBA to issue advances of up to \$10,000 to small businesses within three days of applying for an EIDL. The amount of the advance is determined by the number of employees the applicant certifies having. The advances do not have to be repaid.

A nonprofit organization must provide its annual operation costs, number of employees and dates of operation, all of which SBA uses to calculate the amount of the EIDL. The applicant must also certify that all the information in the application is true and correct to the best of the applicant's knowledge.

On April 4, 2020, ANTONIO DUANE MIXON applied for an EIDL loan from the SBA, falsely claiming that he was operating a nonprofit organization called Kid-Phoria/Kingdom Warriors Ministry from 110 Knapp Drive, in Battle Creek, Michigan. In the application he falsely represented that Kid-Phoria/Kingdom Warriors Ministry had eight employees and operated as a children's museum. ANTONIO DUANE MIXON also falsely represented that Kid-Phoria/Kingdom Warriors Ministry had annual operating expenses of \$72,000 for the twelve-month period beginning January 31, 2019.

Based on these and other false and fraudulent representations, SBA approved the loan and awarded a loan of \$28,000 and an advance of \$8,000. On May 1 and June 9 2020, the SBA deposited funds into a Kellogg Community Federal Credit Union account ANTONIO DUANE MIXON held with his wife, KETURAH TAWANA MIXON. On those same days, ANTONIO DUANE MIXON and KETURAH TAWANA MIXON withdrew the funds and converted them to cash.

**USE OF INTERSTATE WIRES IN FURTHERANCE OF THE SCHEME**

ANTONIO DUANE MIXON transmitted and caused to be transmitted by means of wire communications in interstate commerce writings, signals, and sounds in furtherance of the scheme. The EIDL application was submitted electronically from Battle Creek Michigan to Iowa via the internet. After approving the loan, SBA electronically transferred the funds from Denver, Colorado to the MIXONS' account in Battle Creek, Michigan.

**18 U.S.C. § 1343**

**COUNT 2**

(Concealment of Fact Affecting Entitlement to Supplemental Security Income Benefits)

Between in or about August 2004 and June 2020, in Calhoun County, in the Southern Division of the Western District of Michigan,

**KETURAH TAWANA MIXON,**

having knowledge of the occurrence of an event affecting the continued right to Supplemental Security Income (SSI) benefits for her daughter, on whose behalf she was receiving the benefits, and her own such benefits, failed to disclose the event with the intent fraudulently to secure SSI benefits in a greater amount than was due or when no such benefit was authorized. Specifically, the defendant: 1) was aware that she and the father of her child, ANTONIO DUANE MIXON, together earned too much money to qualify her and her daughter for SSI benefits, falsely reported that her husband no longer lived in the home, and thereafter did not report that her husband resided in the home; 2) did not report that she owned real estate that disqualified her and her daughter from SSI benefits, and 3) did not disclose her receipt and use of \$36,000 deposited into her account as a result of the EIDL loan described in Count 1 of this Indictment, incorporated here by reference. Because of this, SSA paid \$134,377 to KETURAH TAWANA MIXON that she was not entitled to receive.

**42 U.S.C. § 1383a(a)(3)(B)**

**COUNT 3**  
(Theft of Government Funds)

Between in or about December 2010 and December 2019, in Calhoun County, in the Southern Division of the Western District of Michigan,

**KETURAH TAWANA MIXON,**

knowingly and intentionally stole, purloined, and converted to her own use money of an agency of the United States, that is, federal assistance program ("FAP") funds originating from the United States Department of Agriculture in excess of \$48,000. Specifically, the defendant: 1) was aware that she and the father of her child and husband, ANTONIO DUANE MIXON, together earned too much money to qualify her and her daughter for SSI benefits, falsely reported that the father of her child and husband no longer lived in the home, and thereafter did not report that the father of her child and husband resided in the home; 2) did not report that she owned real estate that disqualified her and her daughter from SSI benefits, and 3) did not disclose her receipt and use of \$36,000 deposited into her account as a result of the EIDL loan described in Count 1 of this Indictment, incorporated here by reference.

**18 U.S.C. § 641**

A TRUE BILL

ANDREW BYERLY BIRGE  
United States Attorney



TIMOTHY VERHEY  
Assistant United States Attorney

  
GRAND JURY FOREPERSON